

10/528419

PATENT Case No. MC067YP

JC06 Re PCT/PTO 17 MAR 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Billot et al.

Serial No. To be Assigned

Filed:

For: EP4 Receptor Agonists

Art Unit: To be Assigned

Examiner: To be Assigned

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR 1.97**

Sir:

1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).

2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.

4. Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

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## INFORMATION DISCLOSURE STATEMENT

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

RELATED APPLICATION		
U. S. SERIAL NUMBER	FILING DATE	MERCK CASE

If this is inconvenient, additional copies will be submitted upon request.

6. In accordance with 37 C.F.R. 1.97, (check one)

- ☒ the attached information is filed within three months of the filing date of the captioned case.
- ☐ the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits.
- ☐ the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action or Notice of Allowance. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).
- ☐ the undersigned certifies that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
- ☐ the undersigned certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,

By: Sylvia A. Ayler

Attorney For Applicant(s)

Reg. No. \_\_\_\_\_

MERCK & CO., INC.

Patent Dept., RY60-30

P.O. Box 2000

Rahway, N.J. 07065-0907

(732)594-4909

Date: March 17, 2005

Substitute for form 1449A/PTO <b>INFORMATION DISCLOSURE</b> <b>STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>			<b>COMPLETE IF KNOWN</b>		
			Application Number	To be Assigned	
			Filing Date	10/528419	
			First Named Inventor	Billot et al.	
			Group Art Unit	To be Assigned	
			Examiner Name	To be Assigned	
Sheet	1	of	5	Attorney Docket Number	MC067YP

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code (if known)		
	1.	4,386,098		Woltersdorf Jr. et al.	05/31/1983
	2.	4,416,890		Woltersdorf Jr. et al.	11/22/1983
	3.	4,426,388		Woltersdorf Jr. et al.	01/17/1984
	4.	4,668,697		Shepard et al.	05/26/1987
	5.	4,863,922		Baldwin et al.	09/05/1989
	6.	4,797,413		Baldwin et al.	01/10/1989
	7.	5,378,703		Dean et al.	01/03/1995
	8.	5,240,923		Dean et al.	08/31/1993
	9.	5,153,192		Dean et al.	10/06/1992
	10.	4,883,819		Bito	11/28/1989
	11.	4,824,857		Goh et al.	04/25/1989
	12.	5,001,153		Ueno et al.	03/19/1991
	13.	4,599,353		Bito	07/08/1986
	14.	6,043,275		Maruyama et al.	03/28/2000
	15.	5,698,598		Woodward	12/16/1997
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	17.	6,344,477		Sharif	02/05/2002
	18.	5,889,052		Klimko et al.	03/30/1999
	19.	5,296,504		Stjerschantz et al.	03/22/1994
	20.	5,422,368		Stjerschantz et al.	06/06/1995

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Office	Number	Kind Code (if known)		
	21.	PCT	WO 00/38667		Alcon Laboratories	07/06/2000
	22.	PCT	WO 99/32441	A1	Alcon Laboratories	07/01/1999
	23.	PCT	WO 99/02165	A1	Pharmacia & Upjohn Ab	01/21/1999
	24.	PCT	WO 00/38663	A2	Alcon Laboratories	07/06/2000
	25.	PCT	WO 01/46140	A1	Pfizer Products Inc.	06/28/2001
	26.	EP	EP 0855389	A2	Ono Pharmaceutical Co., Ltd.	01/26/1998
	27.	JP	JP 2000-1472			01/07/2000
	28.	PCT	WO 00/38690	A2	Alcon Laboratories, Inc.	07/06/2000
	29.	PCT	WO 02/ 24647	A1	Ono Pharmaceutical Co., Ltd.	03/28/2002
	30.	PCT	WO 02/42268	A2	Pfizer Prodcuts Inc.	05/30/2002

Examiner Signature		Date Considered	
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\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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**INFORMATION DISCLOSURE**  
**STATEMENT BY APPLICANT**

**COMPLETE IF KNOWN**

To be returned **20/528419**

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Billot et al.

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		Office	Number	Kind Code (if known)		
	39.	EP	EP 1132086	A2	Pfizer Products Inc.	01/31/2000
	40.	EP	EP 1114816	A1	Ono Pharmaceutical	09/10/1999
	41.	PCT	WO 01/72268	A1	Toray Industries	03/30/2001
	42.	PCT	WO 94/13275	A1	Massachusetts Eye and Ear Infirmary	06/23/1994
	43.	PCT	WO 01/70702	A1	Alcon Universal Ltd.	09/27/2001
	44.	PCT	WO 02/077168	A2	Merck & Co. Inc.	10/03/2002
	45.	PCT	WO 02/060863	A1	Merck & Co. Inc.	01/30/2001
	46.	PCT	WO 00/21542	A1	Merck & Co. Inc.	04/20/2000
	47.	EP	EP 0561 073	B1	R-Tech Ueno Ltd.	10/24/2001
	48.	PCT	GB 1 487 842		Hoechst Aktiengesellschaft	10/05/1977

Date  
Considered

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Sheet	3	of	5		

[illegible][illegible]

Examiner Signature		Date Considered	
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Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE</b>  <b>STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>			<b>COMPLETE IF KNOWN</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td style="width: 50%;">To be Assigned <b>10/528419</b></td> </tr> <tr> <td>Filing Date</td> <td></td> </tr> <tr> <td>First Named Inventor</td> <td>Billot et al.</td> </tr> <tr> <td>Group Art Unit</td> <td>To be Assigned</td> </tr> <tr> <td>Examiner Name</td> <td>To be Assigned</td> </tr> <tr> <td>Attorney Docket Number</td> <td>MC067YP</td> </tr> </table>		Application Number	To be Assigned <b>10/528419</b>	Filing Date		First Named Inventor	Billot et al.	Group Art Unit	To be Assigned	Examiner Name	To be Assigned	Attorney Docket Number	MC067YP
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Sheet	4	of	5													

NON PATENT LITERATURE DOCUMENTS		
Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.
	51.	A. Ichikawa et al., "Molecular Aspects of the Structures and Functions of the Prostaglandin E. Receptors", 1996, pp. 83-87, Vol. 14, J. Lipid Mediators Cell Signaling.
	52.	A. J. Flach et al., "Topical Prostaglandin E2 Effects on Normal Human Intraocular Pressure", 1988, pp. 13-18, Vol. 4, J. Ocular Pharmacology.
	53.	D. F. Woodward et al., "Molecular Characterization and Ocular Hypotensive Properties of the Prostanoid EP2 Receptor", 1995, pp.447-454, Vol. 11, No. 3, J. Ocular Pharmacology.
	54.	D. F. Woodward et al., "Intraocular Pressure Effects of Selective Prostanoid Receptor Agonists Involve Different Receptor Subtypes According to Radioligand Binding Studies", 1993, pp. 545-553, Vol. 6, J. Lipid Mediators.
	55.	L. D. Waterbury et al., "EP3, but Not EP2, FP, or TP Prostanoid-Receptor Stimulation May Reduce Intraocular Pressure", 1990, pp. 2560-2567, Vol. 31, No. 12, Investigative Ophthalmology and Visual Science.
	56.	E. M. Ross, "Mechanisms of Drug Action and the Relationship Between Drug Concentration and Effects" 1996, Chapter 2, The Pharmacological Basis of Therapeutics.
	57.	M. A. Lemp, "Report of the National Eye Institute/Industry Workshop on Clinical Trials in Dry Eyes", 1995, pp. 221-231, Vol. 21, No. 4, The CLAO Journal.
	58.	I.K. Gipson et al., "Mucin Genes Expressed by the Ocular Surface Epithelium", 1997, pp. 81-98, Vol. 16, Progress in Retinal and Eye Research.
	59.	D. A. Dartt et al., "Localization of Nerves Adjacent to Goblet Cells in Rat Conjunctiva", 1995, pp. 993-1000, Vol. 14, Current Eye Research.
	60.	R. A. Schumer et al., "The Nerve of Glaucoma!", 1994, pp. 37-44, Vol. 112, Arch. Ophthalmol.
	61.	L. Dandona et al., "Selective Effects of Experimental Glaucoma on Axonal Transport by Retinal Ganglion Cells to the Dorsal Lateral Geniculate Nucleus", 1991, pp. 1593-99, Vol. 32, No. 5, Investigative Ophthalmol. & Visual Science.
	62.	Ikeda et al., "In Situ Localization of Three Subtypes (EP_1, EP_3 and EP_4) of Prostaglandin E Receptors in Embryonic and Newborn Mice", 1995, Vol. S172, J. Bone Miner Res.
	63.	Rodan et al., "Growth Stimulation of Rat Calvaria Osteoblastic Cells by Acidic FGF", 1987, pp. 1919-1923, Vol. 121, Endocrinology.
	64.	Samulesson et al., 1995, pp. 499-504, Vol. 23, Advances in Prostaglandin Thromboxanes and Leukotriene Research.
	65.	DeLarco et al., "Epithelioid and Fibroblastic Rat Kidney Cell Clones: EGF Receptors and the Effect of Mouse Sarcoma Virus Transformation", 1978, pp. 335-342, Cell Physiol.

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D. Shinar et al., "Expression of Alphav and Beta3 Integrin Subunits in Rat Osteoclasts in Situ", 1993, pp. 403-414, Vol. 8, J. Bone Miner. Res.

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